

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ANTHONY VILLAREAL,

Plaintiff,

v.

HERNANDEZ, *et al.*,

Defendants.

Case No. 1:22-cv-01376-KES-BAM (PC)

**ORDER REGARDING STIPULATION FOR
VOLUNTARY DISMISSAL WITH
PREJUDICE**

(ECF No. 58)

Plaintiff Anthony Villareal ("Plaintiff") is a state prisoner proceeding with counsel and *in forma pauperis* in this civil rights action under 42 U.S.C. § 1983.

Currently before the Court is a stipulation for voluntary dismissal of this action with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), filed by defense counsel.¹ (ECF No. 58.) The stipulation is signed and dated by Plaintiff, Plaintiff's counsel, and counsel for Defendants, and indicates that each party shall bear its own litigation costs and attorney's fees.

Accordingly, this action is terminated by operation of law without further order from the Court. Fed. R. Civ. P. 41(a)(1)(A)(ii). The Clerk of the Court is directed to close this case.

IT IS SO ORDERED.

Dated: August 14, 2024

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE

¹ Defense counsel previously filed a stipulation for voluntary dismissal on August 13, 2024, but it was not signed by Plaintiff's counsel. (ECF No. 57.)